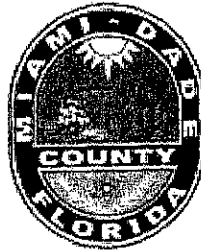


Stephen P. Clark Government Center
111 N.W. 1st Street
Miami, Fl. 33128

Miami Dade County



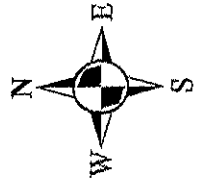
LEGISLATIVE ANALYSIS

Tuesday, May 25th, 2004

9:30 AM

Commission Chambers

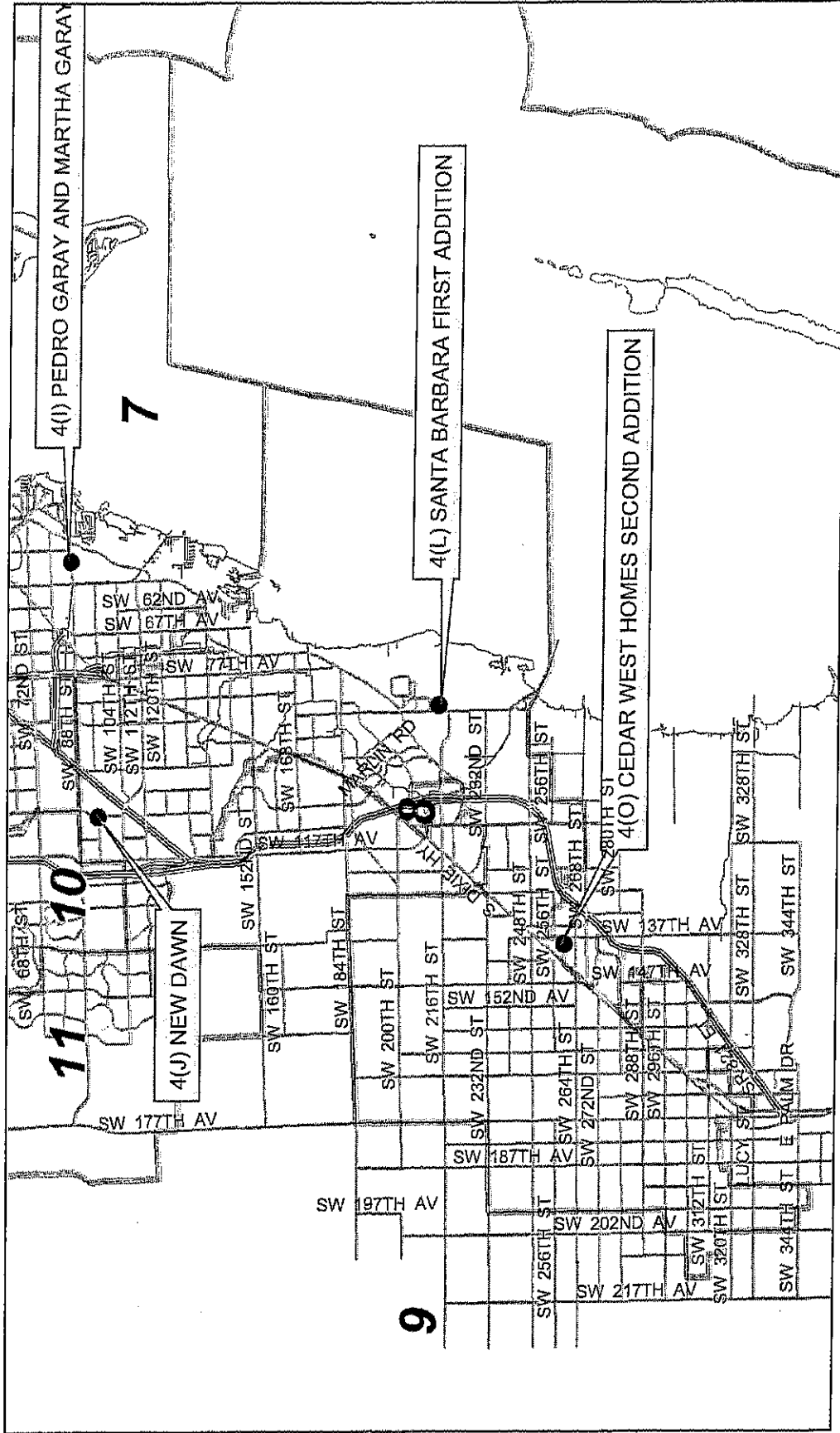
Board of County Commissioners



**Board of County Commissioners
Office of Legislative Analysis**



Plats for BCC Approval May 25, 2004 (Miami-Dade County--South of Sunset Drive)



Board of County Commissioners
Office of Legislative Analysis

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

FALLS AREA INCORPORATION

County Manager

I. SUMMARY

The item before you is a required step before sending the Fall Area Incorporation to the Voters on November 2004 General Election.

II. PRESENT SITUATION

The Village of the Falls was original included in the East Kendal Municipal Advisory Committee (MAC). Residents of the Falls concerned about the size of the proposed new city were concerned that their issues would not be addressed and began a petition drive requesting to be excluded from the MAC. Over 2000 signatures were attained and the County excluded the area from the MAC. At that time a grassroots effort to Incorporate began. The proposed boundaries excluded the Edgewater Community which through a petition drive of their own requested without objection from the Falls Area Residents.

The Community began meeting and working on a plan, they formed the Village of the Falls Foundation, Inc a Florida 501(c)(3) and in July a second petition drive started and on September 9th 2003 the County verified and "certified" the petition and the process went forward.

III. POLICY CHANGE AND IMPLICATION

- The proposed Incorporation as the manager proposes including the Edgewater Community it will not be totally contained in one Census Designated Place (CDP). The issue was herd at the Boundaries Advisory Board and it was determined that the will of the community out weighed multiple CDPs.

IV. ECONOMIC IMPACT

The Falls Area Incorporation will result in net loss to UMSA of approximately \$1.2 million after the new city makes mitigation payments of 1.0 mills which is about \$1.5 million. Mitigation is required to lessen the effect on the remaining UMSA residents.

V. COMMENTS AND QUESTIONS

- As with any incorporation effort, you have residents who feel strongly about the issue. Pro & Con.
- Palmetto Bay and Pinecrest have both endorsed the Falls Area Incorporation.
- Over 10% of the Ares Registered Voters signed the "certified" petition to incorporate.

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

*RESOLUTION AUTHORIZING THE COUNTY MANAGER OR HIS DESIGNEE TO
RELEASE COUNTY LIENS FROM PROPERTY OWNED BY CITYWIDE
DEVELOPMENT CORPORATION, INC., FOR PURPOSES OF INFILL HOUSING
DEVELOPMENT*

Miami-Dade Housing Agency

I. SUMMARY

This resolution will authorize the County Manager to release county liens in the amount of \$66,900 from property owned by Citywide Development Corporation, Inc. This release of liens, pursuant to resolution No. R-432-00, is intended for infill housing development. *The supplement* to this item corrects a scrivener error and adjusts the total lien amount from \$75,310.00 to \$66,900.00, all of which were levied on 2156 NW 68th Street (folio#30-3115-020-0220), prior to the acquisition by Citywide Development.

II. PRESENT SITUATION

Citywide Development Corporation has constructed a single family home and the certificate of occupancy has been issued. The item indicates that they have identified a buyer, Anna B. Ladler, a Scott Carver Public Housing Community tenant, and the proposed purchase price is set at \$103,400.00. Staff indicates that the closing date for this proposed sale has not been set, as the title company will not write a title policy with liens on the property. They additionally indicated that the proposed buyer is scheduled to move into the completed dwelling in June.

III. POLICY CHANGE AND IMPLICATION

This resolution would result in the waiver of liens in the amount of \$66,900 from property located at 2150 NW 68th Street for the intended purpose of infill housing.

IV. ECONOMIC IMPACT

Although, \$66,900 is to be waived, this single family home will be placed on the tax rolls and will generate income for the County.

V. COMMENTS AND QUESTIONS

None.

May 25, 2004

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION APPROVING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF DORAL FOR THE TRANSITION OF MUNICIPAL SERVICES; AUTHORIZING THE COUNTY MANAGER TO EXECUTE THE AGREEMENT, TAKE ANY ACTION REQUIRED OF THE COUNTY HEREIN AND EXERCISE ANY RENEWAL AND CANCELLATION PROVISIONS THEREIN

Office of Strategic Business Management

I. SUMMARY

This resolution will approve the Master Interlocal Agreement between the County and the City of Doral.

II. PRESENT SITUATION

The City of Doral was approved by electors on June 24, 2003 with Municipal officials having been elected July 22, 2003. The County and City began negotiating the Interlocal Agreement shortly after the City Manager was selected. On April 9, 2004 the City approved the Interlocal through Resolution.

III. POLICY CHANGE AND IMPLICATION

This Interlocal is structured so as to not trigger the "Favored Nation Status" clauses in the Interlocal Agreements with previous incorporations.

IV. ECONOMIC IMPACT

This Interlocal should have no Fiscal Impact since the City will pay for services provided by the County between June 24, 2003 and September 30, 2004 unless extended upon request of the City.

Mitigation payments will be made by the City in the amount of 1.5 mills for the City's Commercial Business, and Industrial Ares (CBI). The Mitigation Payments shall be made to the Municipal Services Trust Fund. The FY2002-2003 payment shall be \$1,965,052 and for FY2003-2004 \$7,368,945.

V. COMMENTS AND QUESTIONS

- Two six month renewals are allowed under the Interlocal Agreement.
- This Inter Local only applies to Planning and Zoning, Public Works, Team Metro, and the Parks and Recreation Department.
- Excluded from the Interlocal are Library, Fire Rescue, Water & Sewer, Solid Waste, and Police.

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION AUTHORIZING EXECUTION OF TWO NON-EXCLUSIVE PROFESSIONAL SERVICES AGREEMENTS TO PROVIDE GROUNDWATER, SURFACE WATER AND SOIL CONTAMINATION CLEANUP SERVICES, PROJECT NO. E03-DERM-01, AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE EXTENSION AND CANCELLATION PROVISIONS CONTAINED THEREIN; AUTHORIZING EXECUTION OF TWO ADDITIONAL AGREEMENTS UNDER CERTAIN CONDITIONS; AND AUTHORIZING THE MANAGER TO INCREASE THE AMOUNT OF THE AGREEMENTS ON CERTAIN CONDITIONS

Department of Environmental Resource Management

I. SUMMARY

The resolution approved by the Board on April 13, 2004 sought to execute two (2) non-exclusive Professional Service Agreements (PSA) with **Cherokee Enterprises, Inc.** and **Peer Consultants, P.C.** for Groundwater, Surface Water, and Soil Contamination Cleanup Services at various non-specific sites.

The Miami-Dade Transit Agency wishes to utilize these contracts, established by the Department of Environmental Resources (DERM), for the evaluation, study, and/or design work associated with the cleanup and remediation of sites contaminated by underground petroleum storage facilities.

II. PRESENT SITUATION

On January 23, 2003, the Board of County Commissioners (BCC) approved the rejection of current proposals and the re-advertisement of a replacement contract for two PSAs with at contract capacity of \$5 million per agreement for a total of up to \$10 million worth of services.

On April 13, 2004 the BCC approved the award of these two (2) PSAs which also allowed the County Manager to increase the contract ceilings if the Ordinance governing these types of contracts was amended at a later date.

III. POLICY CHANGE AND IMPLICATION

Upon successful negotiations with the two (2) firms listed in this resolution, it was realized that County Code Sec. 2-10.4(1)(e) 2 prohibited the County from awarding Architectural & Engineering service agreements at an amount greater than \$500,000.

Essentially, the County advertised for proposals based on an amount that was up to 10 times greater than the County Code would allow.

The amount listed in the Board's award approval, of April 13, 2004, reflects the adjusted amount of \$500,000 rather than the original amount of \$5,000,000.

The Scope of Work is also reduced from actual cleanup and remediation to study and/or design work.

However, the original item allowed the County Manager the ability to increase the award amount up to the original \$5million if the County Code is amended to allow for a larger dollar amount for these types of projects.

At the April 13, 2004 BCC meeting, a first (1st) reading item was passed addressing the contract ceiling associated with these types of projects.

IV. ECONOMIC IMPACT

As written these two contracts would be for up to \$500,000 each for a total of \$1million.

However, if the Code is amended, these awards could be increased up to \$5 million each for a total of \$10 million.

Originally, the Miami-Dade Transit Department listed Federal, State, and Local Funds as the funding source for these services, including the possibility of utilizing PTP funds. Now it seems that the largest piece of the funding would be PTP funding.

V. COMMENTS AND QUESTIONS

The amended award amounts are a result of unintended consequences associated with the County's Equitable Distribution Program (EDP). The program was established to provide work to different firms. However, in this case, the parameters of the EDP are a hindrance to a large scope project getting done.

When the County first advertised to bid for these services, there was no \$500,000 cap. However, prior to award approval the County instituted the policy of not awarding these types of services for more than \$500,000.

However, the County should be more diligent in realizing the parameters of a proposed contract before negotiating with a prospective firm. **The possibility exists that the firms submitted proposals and dollar amounts based on unit prices related to a larger scope of work and may not be able to realize these tasks for the amount agreed to if the scope of work is decreased.**

CITT Resolution

The CITT has rejected the item if it allows for a future increase of the contract ceiling as a result of future legislation.

BCC ITEM 9(K)(1)(A) (CITT Rejection of ITEM 7(D)(1)(G) from 4-13-2004)
May 25, 2004

Further, the CITT resolution (Handwritten pg. 2 of Manager's Memorandum)
recommends that the County not delay and award the contracts in an amount not to
exceed \$500,000.